

# **Defendant's Exhibit 76**

**From:** [Adele A. Daniel](#)  
**To:** [Blume, Robert C.](#); [\\*\\*\\* Service-FB-CA MDL](#)  
**Cc:** [Derek Loeser](#); [Cari Laufenberg](#); [David Ko](#); [Lesley Weaver](#); [Anne Davis](#); [Matt Melamed](#)  
**Subject:** FB: 5/9 30b6  
**Date:** Friday, May 6, 2022 4:24:23 PM

---

**[WARNING: External Email]**

Counsel,

Below are potential exhibits to be used in connection with next Monday's 30b(b)(6) deposition.

Thank you,

Adele Daniel

-----

Adele A. Daniel  
Associate  
Keller Rohrback L.L.P.

Phone: (206) 623-1900  
Email: [adaniel@kellerrohrback.com](mailto:adaniel@kellerrohrback.com)

CONFIDENTIALITY NOTE: This e-mail contains information belonging to the law firm of Keller Rohrback L.L.P., which may be privileged, confidential and/or protected from disclosure. The information is intended only for the use of the individual entity named above. If you think that you have received this message in error, please e-mail the sender. If you are not the intended recipient, any dissemination, distribution or copying is strictly prohibited.

---

Simon Cross LinkedIn Profile  
Pl 2nd Am Notice 30(b)(6) Facebook  
Pl 2nd Am Complaint  
Order on MTD Dkt. 298  
Chang Exhibit 16 & 17  
Pl 4th ROGs to Facebook 2nd Amended Responses & Objections  
FB-CA-MDL-00006693  
FB-CA-MDL-00195621  
FB-CA-MDL-00195627  
FB-CA-MDL-00197163  
FB-CA-MDL-00197164  
FB-CA-MDL-00198455  
FB-CA-MDL-00199729  
FB-CA-MDL-00199731  
FB-CA-MDL-00200051  
FB-CA-MDL-00200696  
FB-CA-MDL-00202269

FB-CA-MDL-00202562  
FB-CA-MDL-00202569  
FB-CA-MDL-01128015  
FB-CA-MDL-01128018  
FB-CA-MDL-01164838  
FB-CA-MDL-01169155  
FB-CA-MDL-01462921  
FB-CA-MDL-01685319  
FB-CA-MDL-01789112  
FB-CA-MDL-01947266  
FB-CA-MDL-01952426  
FB-CA-MDL-02140404  
FB-CA-MDL-02145706  
FB-CA-MDL-02163394  
FB-CA-MDL-02221179  
FB-CA-MDL-02894567  
FB-CA-MDL-02951293  
FB-CA-MDL-02951295  
META-CA-MDL-0000411990

---

**From:** David Ko <dco@KellerRohrback.com>

**Sent:** Monday, May 2, 2022 8:56 AM

**To:** rblume@gibsondunn.com; Service-FB-CA\_MDL@gibsondunn.com

**Cc:** Derek Loeser <dloeser@KellerRohrback.com>; Cari Laufenberg  
<claufenberg@KellerRohrback.com>; Lesley Weaver <lweaver@bfalaw.com>; Anne Davis  
<adavis@bfalaw.com>; Matt Melamed <mmelamed@bfalaw.com>

**Subject:** RE: 4/27 30b6

Counsel,

In follow up to the below email and in light of portions of Topics 2(b) and (d) and 6 being covered by Allison Hendrix, below are potential exhibits to be used in connection w/ this Thursday's 30(b)(6) deposition. To be clear these are in addition to the list of documents we sent last week. Thank you.

- 1) All SSRs, DUPs, and Platform Policies (we assume we do not need to provide you with bates numbers or URLs for these)
- 2) FB-CA-MDL-00198455 (plus attachments)
- 3) FB-CA-MDL-01755578
- 4) FB-CA-MDL-01955595
- 5) FB-CA-MDL-01956355
- 6) FB-CA-MDL-00185121
- 7) Fusz Ex 287
- 8) FB-CA-MDL-02023428
- 9) Vernal Ex 217
- 10) Vernal Ex 220

11) Vernal Ex 221

-----  
David Ko  
Keller Rohrback L.L.P.  
Phone: (206) 428-0562  
Email: [dko@kellerrohrback.com](mailto:dko@kellerrohrback.com)  
<http://www.krcomplexlit.com>

CONFIDENTIALITY NOTE: This e-mail contains information belonging to the law firm of Keller Rohrback L.L.P., which may be privileged, confidential and/or protected from disclosure. The information is intended only for the use of the individual entity named above. If you think that you have received this message in error, please e-mail the sender. If you are not the intended recipient, any dissemination, distribution or copying is strictly prohibited.

---

**From:** David Ko  
**Sent:** Wednesday, April 27, 2022 2:21 PM  
**To:** [rblume@gibsondunn.com](mailto:rblume@gibsondunn.com); [Service-FB-CA\\_MDL@gibsondunn.com](mailto:Service-FB-CA_MDL@gibsondunn.com)  
**Cc:** Derek Loeser <[dloeser@KellerRohrback.com](mailto:dloeser@KellerRohrback.com)>; Cari Laufenberg <[claufenberg@KellerRohrback.com](mailto:claufenberg@KellerRohrback.com)>; Lesley Weaver <[lweaver@bfalaw.com](mailto:lweaver@bfalaw.com)>; Anne Davis <[adavis@bfalaw.com](mailto:adavis@bfalaw.com)>; Matthew Melamed <[mmelamed@bfalaw.com](mailto:mmelamed@bfalaw.com)>  
**Subject:** 4/27 30b6

Counsel,

Pursuant to the Amended Deposition Protocol, please find attached a document that contains the potential exhibits (referenced by bates number) to be used for this Friday's 30b6 deposition on Topics 1 and 3. We understand that the deposition protocol requires these documents to be provided to you 72 hours of the deposition, and apologize that this is being sent to you one day late. We inadvertently did not see this provision until yesterday afternoon. Relatedly, we renew our request in Schedule B of the notice for Facebook to provide documents reviewed by the witness in advance of the deposition. The notice requested Facebook to provide these documents five business days in advance of the deposition. Those documents would also be potentially included in the exhibit list we are attaching here.

Please also let us know if Facebook is going to object to the use of these documents at the deposition on the basis that Plaintiffs provided these documents one day late.

You also requested that this deposition occur in person. Given the short notice, we are not able to accommodate that request, but would be willing to do it in person if we can move the deposition to early next week.

We are happy to discuss as well. Thank you.

-----  
David Ko  
Keller Rohrback L.L.P.

Phone: (206) 428-0562

Email: [dko@kellerrohrback.com](mailto:dko@kellerrohrback.com)

<http://www.krcomplexlit.com>

CONFIDENTIALITY NOTE: This e-mail contains information belonging to the law firm of Keller Rohrback L.L.P., which may be privileged, confidential and/or protected from disclosure. The information is intended only for the use of the individual entity named above. If you think that you have received this message in error, please e-mail the sender. If you are not the intended recipient, any dissemination, distribution or copying is strictly prohibited.

**From:** [Julie Law](#)  
**To:** \*\*\* [Service-FB-CA MDL](#); [Blume, Robert C.](#)  
**Cc:** [Lesley Weaver](#); [Matthew Melamed](#); [Cari Laufenberg](#); [Derek Loeser](#); [Anne Davis](#); [Sarah R. Skaggs](#); [Daniel Garrie](#)  
**Subject:** In re Facebook, 30(b)(6) - Simon Cross May 12 Depo  
**Date:** Monday, May 9, 2022 9:26:16 AM

---

**[WARNING: External Email]**

Counsel:

Pursuant to the Amended Deposition Protocol, Plaintiffs identify the documents below as potential exhibits that may be marked as exhibits on May 12, 2012 during the deposition of Facebook's 30(b)(6) representatives on topics 2(a), 2(c), and 8.

Plaintiffs believe these topics are clearly described and expect that Facebook's designee will be prepared to address them. Facebook has informed Plaintiffs the designee will not be prepared to address questions about targeted advertising, and will prepare another witness to do so. Please let us know immediately if there are any other limitations on the scope of the deponent's testimony. Please also identify or send any documents the designee is using to prepare themselves to testify on these topics.

Please note that several of the documents are voluminous spreadsheets (e.g., the Capabilities Tool and the Method Table). Plaintiffs do not expect Facebook's designee to be fully familiar with the entirety of those exhibits. Rather, Plaintiffs expect the designee to be able to describe the type and categories of information in the spreadsheets based on a representative sample.

- Dep. Ex. 3
- Dep. Exs. 7-8
- Dep. Ex. 12
- Dep. Ex. 56
- Dep. Ex. 314
- FB-CA-MDL-02014683
- FB-CA-MDL-01936209
- FB-CA-MDL-00198459
- FB-MDL-MTHD-00080
- FB-CA-MDL-02936271
- FB-CA-MDL-00199729, FB-CA-MDL-00199731
- FB-CA-MDL-02936296
- FB-CA-MDL-02936297
- FB-CA-MDL-02936298
- FB-CA-MDL-01952426
- FB-CA-MDL-03103425
- ACXM\_FB2\_000122
- FB-CA-MDL-01151469
- FB-CA-MDL-01191359

Thank you,

---

Julie Law

Paralegal

BLEICHMAR FONTI & AULD LLP

555 12th Street, Suite 1600, Oakland, CA 94607

O: (415) 445-4003 | [jlaw@bfalaw.com](mailto:jlaw@bfalaw.com)

**From:** [Matthew Melamed](#)  
**To:** [Schwing, Austin](#); [Lesley Weaver](#); [Daniel B. Garrie](#); [Kutscher Clark, Martie](#); [\\*\\*\\* Service-FB-CA MDL](#); [David Ko](#); [Buongiorno, Matt](#); [Julie Law](#); [Derek Loeser](#); [Cari Laufenberg](#); [Anne Davis](#); [Ring, Rose](#); [Wallace, Brooke Myers](#); [Ulmer, Mike M.](#); [Richardson, Heather L.](#); [Machin, Amanda C.](#); [Regan-Smith, Hannah](#); [Reyzis, Yekaterina \(Katie\)](#); [Falconer, Russ](#)  
**Subject:** RE: Simon Cross Deposition  
**Date:** Friday, June 3, 2022 9:06:54 AM

---

**[WARNING: External Email]**

Counsel,

Pursuant to the Amended Deposition Protocol, Plaintiffs identify the documents below as potential exhibits on June 6, 2021 during the deposition of Facebook's 30(b)(6) representative on topics 2(a), 2(c), and 8, and a few additional potential exhibits regarding topics 6 and 7.

**Topics 2(a), 2(c), and 8**

Please note that many of these were already identified on May 9 in advance of the originally scheduled but continued May 12 deposition on these topics. However, the list of documents in this email controls, and you need not cross-reference the May 9 email to identify the documents Plaintiffs may mark as exhibits. In addition, several of the documents are voluminous spreadsheets (e.g., the Capabilities Tool and the Method Table). As we explained on May 9, Plaintiffs do not expect Facebook's designee to be fully familiar with the entirety of those exhibits. Rather, Plaintiffs expect the designee to be able to describe the type and categories of information in the spreadsheets based on a representative sample.

- FB-CA-MDL-01128015, FB-CA-MDL-01128108
- FB-CA-MDL-01835503
- FB-CA-MDL-01936209
- FB-CA-MDL-01952426
- FB-CA-MDL-00197164
- FB-CA-MDL-00198162
- FB-CA-MDL-00198455, FB-CA-MDL-00198459
- FB-CA-MDL-00199729, FB-CA-MDL-00199731
- FB-CA-MDL-02014683
- FB-CA-MDL-02087356
- FB-CA-MDL-00213423
- FB-CA-MDL-02538964
- FB-CA-MDL-02898221
- FB-CA-MDL-02898663, FB-CA-MDL-02898670
- FB-CA-MDL-02906304, FB-CA-MDL-02906338
- FB-CA-MDL-02936271
- FB-CA-MDL-02936296, FB-CA-MDL-02936297, FB-MDL-02936298, FB-CA-MDL-03350755
- FB-CA-MDL-02997189
- FB-CA-MDL-03021911
- FB-CA-MDL-03132823
- FB-CA-MDL-03332545, FB-CA-MDL-03332546



- META-CA-MDL-0000297963
- META-CA-MDL-0000404182
- PwC\_CPUP\_FB00006215

**Topics 6 and 7**

Plaintiffs further identify the following additional documents on topics 6 and 7.

- FB-CA-MDL-00199890
- FB-CA-MDL-00199891
- FB-CA-MDL-00274761
- FB-CA-MDL-01173025
- FB-CA-MDL-02088254
- FB-CA-MDL-02088256
- FB-CA-MDL-02259938
- FB-CA-MDL-02906764
- FB-CA-MDL-02906766
- META-CA-MDL-0000582988

Thank you,  
Matt

---

**From:** Matthew Melamed

**Sent:** Wednesday, June 1, 2022 4:16 PM

**To:** Schwing, Austin <ASchwing@gibsondunn.com>; Lesley Weaver <LWeaver@bfalaw.com>; Daniel B. Garrie <Daniel@lawandforensics.com>; Kutscher Clark, Martie <MKutscherClark@gibsondunn.com>; \*\*\* Service-FB-CA\_MDL <Service-FB-CA\_MDL@gibsondunn.com>; David Ko <dko@kellerrohrback.com>; Buongiorno, Matt <MBuongiorno@gibsondunn.com>; Julie Law <jlaw@bfalaw.com>; Derek Loeser <dloeser@kellerrohrback.com>; Cari Laufenberg <claufenberg@kellerrohrback.com>; Anne Davis <ADavis@bfalaw.com>; Ring, Rose <RRing@gibsondunn.com>; Wallace, Brooke Myers <bwallace@gibsondunn.com>; Ulmer, Mike M. <MUlmer@gibsondunn.com>; Richardson, Heather L. <HRichardson@gibsondunn.com>; Machin, Amanda C. <AMachin@gibsondunn.com>; Regan-Smith, Hannah <HRegan-Smith@gibsondunn.com>; Reyzis, Yekaterina (Katie) <YReyzis@gibsondunn.com>; Falconer, Russ <RFalconer@gibsondunn.com>

**Subject:** RE: Simon Cross Deposition

Austin,

Attached is a letter responding to Facebook's concerning Simon Cross's upcoming testimony as Facebook's designee.

Thanks,  
Matt

---

**From:** Schwing, Austin <[ASchwing@gibsondunn.com](mailto:ASchwing@gibsondunn.com)>

**Sent:** Tuesday, May 31, 2022 5:02 PM

**To:** Lesley Weaver <[lweaver@bfalaw.com](mailto:lweaver@bfalaw.com)>; Daniel B. Garrie <[Daniel@lawandforensics.com](mailto:Daniel@lawandforensics.com)>; Kutscher Clark, Martie <[MKutscherClark@gibsondunn.com](mailto:MKutscherClark@gibsondunn.com)>; \*\*\* Service-FB-CA\_MDL <[Service-FB-CA\\_MDL@gibsondunn.com](mailto:Service-FB-CA_MDL@gibsondunn.com)>; David Ko <[dko@kellerrohrback.com](mailto:dko@kellerrohrback.com)>; Buongiorno, Matt <[MBuongiorno@gibsondunn.com](mailto:MBuongiorno@gibsondunn.com)>; Julie Law <[jlaw@bfalaw.com](mailto:jlaw@bfalaw.com)>; Derek Loeser <[dloeser@kellerrohrback.com](mailto:dloeser@kellerrohrback.com)>; Matthew Melamed <[mmelamed@bfalaw.com](mailto:mmelamed@bfalaw.com)>; Cari Laufenberg <[claufenberg@kellerrohrback.com](mailto:claufenberg@kellerrohrback.com)>; Anne Davis <[adavis@bfalaw.com](mailto:adavis@bfalaw.com)>; Ring, Rose <[RRing@gibsondunn.com](mailto:RRing@gibsondunn.com)>; Wallace, Brooke Myers <[bwallace@gibsondunn.com](mailto:bwallace@gibsondunn.com)>; Ulmer, Mike M. <[MUlmer@gibsondunn.com](mailto:MUlmer@gibsondunn.com)>; Richardson, Heather L. <[HRichardson@gibsondunn.com](mailto:HRichardson@gibsondunn.com)>; Machin, Amanda C. <[AMachin@gibsondunn.com](mailto:AMachin@gibsondunn.com)>; Regan-Smith, Hannah <[HRegan-Smith@gibsondunn.com](mailto:HRegan-Smith@gibsondunn.com)>; Reyzis, Yekaterina (Katie) <[YReyzis@gibsondunn.com](mailto:YReyzis@gibsondunn.com)>; Falconer, Russ <[RFalconer@gibsondunn.com](mailto:RFalconer@gibsondunn.com)>

**Subject:** RE: Simon Cross Deposition

Dear all:

Thank you for having a meet and confer earlier today to discuss the upcoming depositions. As explained in the letter I sent yesterday, Simon Cross will not be testifying about advertising – Isabella Leone will do that. As we discussed on the call, Topic 8 references “Data Brokers.” That falls under the advertising topic that Ms. Leone will cover.

Best regards,  
Austin

---

**From:** Schwing, Austin <>

**Sent:** Monday, May 30, 2022 6:48 PM

**To:** 'Lesley Weaver' <[lweaver@bfalaw.com](mailto:lweaver@bfalaw.com)>; 'Daniel B. Garrie' <[Daniel@lawandforensics.com](mailto:Daniel@lawandforensics.com)>; Kutscher Clark, Martie <[MKutscherClark@gibsondunn.com](mailto:MKutscherClark@gibsondunn.com)>; \*\*\* Service-FB-CA\_MDL <[Service-FB-CA\\_MDL@gibsondunn.com](mailto:Service-FB-CA_MDL@gibsondunn.com)>; 'David Ko' <[dko@kellerrohrback.com](mailto:dko@kellerrohrback.com)>; Buongiorno, Matt <[MBuongiorno@gibsondunn.com](mailto:MBuongiorno@gibsondunn.com)>; 'Julie Law' <[jlaw@bfalaw.com](mailto:jlaw@bfalaw.com)>; 'Derek Loeser' <[dloeser@kellerrohrback.com](mailto:dloeser@kellerrohrback.com)>; 'Matthew Melamed' <[mmelamed@bfalaw.com](mailto:mmelamed@bfalaw.com)>; 'Cari Laufenberg' <[claufenberg@kellerrohrback.com](mailto:claufenberg@kellerrohrback.com)>; 'Anne Davis' <[adavis@bfalaw.com](mailto:adavis@bfalaw.com)>; Ring, Rose <[RRing@gibsondunn.com](mailto:RRing@gibsondunn.com)>; Wallace, Brooke Myers <[bwallace@gibsondunn.com](mailto:bwallace@gibsondunn.com)>; Ulmer, Mike M. <[MUlmer@gibsondunn.com](mailto:MUlmer@gibsondunn.com)>; Richardson, Heather L. <[HRichardson@gibsondunn.com](mailto:HRichardson@gibsondunn.com)>; Machin, Amanda C. <[AMachin@gibsondunn.com](mailto:AMachin@gibsondunn.com)>; Regan-Smith, Hannah <[HRegan-Smith@gibsondunn.com](mailto:HRegan-Smith@gibsondunn.com)>; Reyzis, Yekaterina (Katie) <[YReyzis@gibsondunn.com](mailto:YReyzis@gibsondunn.com)>; Falconer, Russ <[RFalconer@gibsondunn.com](mailto:RFalconer@gibsondunn.com)>

**Subject:** Simon Cross Deposition

Dear all:

In advance of the Simon Cross deposition, we are providing the following letter pursuant to the deposition protocol.

Best regards,  
Austin

---

This message may contain confidential and privileged information for the sole use of the intended recipient. Any review, disclosure, distribution by others or forwarding without express permission is strictly prohibited. If it has been sent to you in error, please reply to advise the sender of the error and then immediately delete this message.

Please see our website at <https://www.gibsondunn.com/> for information regarding the firm and/or our privacy policy.

---

**From:** [Matthew Melamed](#)  
**To:** [Schwing, Austin](#); [Derek Loeser](#)  
**Cc:** [Buongiorno, Matt](#); [\\*\\*\\* Service-FB-CA MDL](#); [Lesley Weaver](#); [Anne Davis](#); [Cari Laufenberg](#); [David Ko](#)  
**Subject:** RE: Simon Cross Depo Day 4  
**Date:** Monday, June 13, 2022 9:09:48 PM

---

**[WARNING: External Email]**

Thanks for the follow up, Austin. We share your goal of finishing on the 20<sup>th</sup> and are willing to start at 5:30 am PDT

In response to your Friday email, you're correct that Plaintiffs will ask the designee about the Capabilities Tool, but that is not the limit of the testimony Plaintiffs will seek from Mr. Cross as Facebook's designee for Topics 2(a), 2(c), 2(d), and 8. We've previously identified a list of documents we may ask Mr. Cross about, which we've pasted at the bottom of this email. We've added one document to those previously identified: FB-CA-MDL-03389225. (Another document, FB-MDL-MTHD-00080, was identified on May 9 but was mistakenly omitted from the subsequent June 3 list. It is listed again below.)

Regarding Topic 2, Plaintiffs will ask the designee about the types of user data Facebook has made available to Third Parties and the manner by which Facebook made such types of data accessible to Third Parties, each from 2007 to present. Plaintiffs will also ask the designee about the "technical aspect relating to the Platform Integrity team" concerning how Facebook ensured Third Parties' use of data and information was limited to the use case. (The quoted language comes from your June 3 letter.)

Regarding Topic 8, Plaintiffs will ask the designee to provide an overview of the Capabilities Tool, as mentioned above. Specifically, we anticipate that he'll be able to testify about how the Capabilities Tool was and is used internally; how it has changed over time; and the type of information reflected in the Capabilities Tool documents Facebook produced, including the type of information reflected by each column and the types of values reflected as entries in each row. According to your colleagues' prior communications and the metadata associated with the productions, the Capabilities Tool is at FB-CA-MDL-02936296, FB-CA-MDL-02936297, and FB-CA-MDL-02936298, with a table cross-referencing the app numbers reflected in those documents to app names at FB-CA-MDL-02936271. Plaintiffs have previously identified each of these as documents they intend to ask the designee about, and will use excerpts of them as the basis for their questions.

Plaintiffs will also ask similar questions about the Method Table. Plaintiffs will ask for an overview of the Method Table: how it was and is used internally; how it changed over time; and the type of information reflected in the documents Facebook produced, including the type of information reflected by each column and the types of values reflected as entries in each row. The Method Table is at FB-MDL-MTHD-00001-00080. Plaintiffs will use an excerpt of the Method Table at FB-MDL-MTHD-00080 as the basis for their questions.

Further, Plaintiffs will ask about other methods Facebook used or discussed using that are within the scope of Topic 8, i.e.: methods to track the data and information that Facebook acquired from or provided to Third Parties; methods to track payments (actual or promised) for providing or acquiring data and information from Third Parties; and methods to track the benefits to Facebook of providing or acquiring such data and information.

Plaintiffs note that Facebook has identified another designee to discuss these topics as they relate to

“targeted advertising” and data brokers, so do not intend to ask Mr. Cross about those topics except as required to ensure a clean record regarding his testimony as Facebook’s designee.

Thanks,

Matt

- FB-CA-MDL-01128015, FB-CA-MDL-01128018
- FB-CA-MDL-01835503
- FB-CA-MDL-01936209
- FB-CA-MDL-01952426
- FB-CA-MDL-00197164
- FB-CA-MDL-00198162
- FB-CA-MDL-00198455, FB-CA-MDL-00198459
- FB-CA-MDL-00199729, FB-CA-MDL-00199731
- FB-CA-MDL-02014683
- FB-CA-MDL-02087356
- FB-CA-MDL-00213423
- FB-CA-MDL-02538964
- FB-CA-MDL-02898221
- FB-CA-MDL-02898663, FB-CA-MDL-02898670
- FB-CA-MDL-02906304, FB-CA-MDL-02906338
- FB-CA-MDL-02936296, FB-CA-MDL-02936297, FB-CA-MDL-02936298, FB-CA-MDL-02936271 (Capabilities Tool)
- FB-CA-MDL-02997189
- FB-CA-MDL-03021911
- FB-CA-MDL-03132823
- FB-CA-MDL-03332545, FB-CA-MDL-03332546
- FB-CA-MDL-03350755
- FB-CA-MDL-03389225
- FB-MDL-MTHD-00080 (Method Tool)
- META-CA-MDL-0000297963
- META-CA-MDL-0000404182
- PwC\_CPUP\_FB00006215

---

**From:** Schwing, Austin <ASchwing@gibsondunn.com>

**Sent:** Monday, June 13, 2022 5:23 PM

**To:** Matthew Melamed <mmelamed@bfalaw.com>; Derek Loeser <dloeser@kellerrohrback.com>

**Cc:** Buongiorno, Matt <MBuongiorno@gibsondunn.com>

**Subject:** Simon Cross Depo Day 4

Gentlemen,

I look forward to seeing you on June 20 for day 4 of Simon Cross’ deposition. Mr. Cross has a busy work schedule and we need to finish his deposition on the 20<sup>th</sup>. I believe we share that interest. As you know, he is in London, so we are challenged by the time difference. We believe we should start at 5:30 am Pacific time to ensure that we complete his deposition on June 20. Please let me know if

that is acceptable.

Best,  
Austin

---

This message may contain confidential and privileged information for the sole use of the intended recipient. Any review, disclosure, distribution by others or forwarding without express permission is strictly prohibited. If it has been sent to you in error, please reply to advise the sender of the error and then immediately delete this message.

Please see our website at <https://www.gibsondunn.com/> for information regarding the firm and/or our privacy policy.

---